

§19-135-1

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SUBCHAPTER 1 GENERAL PROVISIONS

§19-135-1 Scope. This chapter shall apply to every moped offered for use upon, sold for use upon, or used upon the roadways and highways of the State.

[Eff SEP. 15 1988] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-2 Purpose. The purpose of this chapter is to establish:

- (1) Minimum periodic inspection requirements for mopeds; and
 - (2) Procedures concerning the issuance of a certificate of inspection upon satisfactory compliance with certification requirements.
- [Eff SEP. 15 1988] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-3 Definitions. As used in this chapter: "Certified moped inspector" or "inspector" means a person who possesses a current, valid, moped inspector certificate issued by the county agency.

"Clockwise" and "counterclockwise" mean opposing directions of rotation around the following axes, as applicable:

- (1) The operational axis of the ignition control, viewed from in front of the ignition lock opening;
- (2) The axis of the right handlebar on which the twist-grip throttle is located, viewed from the end of that handlebar; or
- (3) The axis perpendicular to the center of the speedometer when viewed from the operator's normal eye position.

"County agency" means the county department designated by the county council as the department having the responsibility for supervising and administering the periodic moped inspection program in that county.

"Director" means the director of the state department of transportation.

"FMVSS" means Federal Motor Vehicle Safety Standard as prescribed in 49 CFR Part 571, as it existed on April 1, 1985.

"Moped" shall mean as defined in section 291C-1, HRS.

"Official inspection station" or "inspection station" means a person, partnership, or corporation that is authorized and issued a permit by the county agency to conduct official moped safety inspections.

"Official moped safety inspection" or "inspection" means that safety inspection of moped equipment and components as required by this chapter.

"Periodic Moped Inspection Handbook" means the inspection criteria and procedures promulgated by the Department of Transportation on September 18, 1984, and hereafter referred to as "The Handbook", and is made a part of this chapter.

"State" means the State of Hawaii.

[Eff. SEP. 15 1986] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-4 Specific requirements. All mopeds shall be inspected and certified once every twelve months.

[Eff. SEP. 15 1986] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-5 Administration and enforcement. (a) Each county shall designate a county agency to administer and enforce this chapter with respect to the certification of inspection stations and inspectors in that county.

(b) The county agency shall be responsible for:

- (1) Issuing permits for and the furnishing of instructions and all forms to official inspection stations within the county;
- (2) Supervising and inspecting official inspection stations;
- (3) Suspending or revoking permits issued to a station whenever the county agency determines through inspection or investigation that the station is not properly conducting moped inspections in accordance with this chapter; and

- (4) Certifying persons as being authorized to conduct moped inspections. [Eff **SEP. 15 1988**] (Auth: HRS §§286-27, 291C-202) (Imp: HRS §§286-27, 291C-202)

SUBCHAPTER 2 INSPECTION STATIONS

§19-135-6 Inspection stations; permits; county responsibilities. The county agency shall be responsible for the following duties with respect to the application for an official moped inspection station permit:

- (1) Issuing permits designating each inspection station that meets the minimum standards required by this chapter to conduct moped inspections;
- (2) Inspecting the station facilities and equipment of each applicant to insure that the minimum standards required by this chapter are met;
- (3) Ascertaining that each applicant meets the minimum requirements of this chapter with respect to having a certified moped inspector in its employ;
- (4) Recording the results of all inspections of station facilities and equipment of each applicant;
- (5) Maintaining a file of all records for each applicant from the date of application till the date of termination;
- (6) Providing official application forms, approved by the director, for an inspection station permit; and
- (7) Developing and issuing additional forms necessary to administer the issuance of official moped inspection station permits. [Eff **SEP. 15 1988**] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-7 Types of inspection station permits. There shall be two types of inspection station permits to be designated as:

- (1) Public permits - to conduct inspections on any moped that requires inspection; or
- (2) Private permits - to conduct inspections only on those mopeds which are owned by the owner and operator of the official inspection station. A private station qualification shall be determined by the county agency. [Eff **SEP. 15 1988**] (Auth: HRS §291C-202) (Imp: HRS §291C-202)